

SENATE BILL 35

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R4

2004 Regular Session  
4r0029

(PRE-FILED)

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By: **Chairman, Judicial Proceedings Committee (By Request -  
Departmental - Transportation)**

Requested: November 3, 2003  
Introduced and read first time: January 14, 2004  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: January 27, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicle Administration - Driver's License Renewals - Vision**  
3 **Screening Test Requirements**

4 FOR the purpose of ~~eliminating certain vision test requirements for certain~~  
5 ~~individuals renewing a driver's license~~ authorizing certain individuals to apply  
6 for renewal of a driver's license electronically or by mail or other means  
7 authorized by the Motor Vehicle Administration without taking a vision test if  
8 the applicant has passed a vision test authorized by the Administration within a  
9 certain time period; and generally relating to vision test requirements for  
10 driver's license renewals.

11 BY repealing and reenacting, with amendments,  
12 Article - Transportation  
13 Section 16-115  
14 Annotated Code of Maryland  
15 (2002 Replacement Volume and 2003 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Transportation**

2 16-115.

3 (a) (1) A license issued under this title to a driver at least 21 years old shall  
4 expire on the birth date of the licensee in the fifth year following the issuance of the  
5 license.

6 (2) A license issued under this title to a driver under the age of 21 years  
7 shall expire 60 days after the driver's 21st birthday.

8 (3) A license is renewable on the presentation of an application, the  
9 payment of the renewal fee required by § 16-111.1 of this subtitle, and satisfactory  
10 completion of the examination required or authorized by subsection (h) of this section:

11 (i) Within 6 months before its expiration; or

12 (ii) When a driver qualifies for a corrected license issued under §  
13 16-114.1(c) of this subtitle.

14 (4) Except as provided in subsection (e) of this section, the  
15 Administration may not renew an individual's license for more than one consecutive  
16 term without requiring the individual to appear in person at an office of the  
17 Administration.

18 (b) At least 60 days before a license expires, the Administration shall mail to  
19 each licensee, at the last address of the licensee shown in the records of the  
20 Administration, notice of the date on which the license will expire.

21 (c) The Administration may renew a license within 1 year after the expiration  
22 date without requiring a driving test.

23 (d) (1) A license held by a member of the armed forces of the United States  
24 who is absent from this State on active service in the armed forces of the United  
25 States, or a dependent of the member who is residing with the member outside the  
26 State, shall remain in full force and effect during such absence.

27 (2) The license also shall remain in effect, if it would otherwise have  
28 expired under this section, for a period of 30 days following the date of the licensee's  
29 return to this State, or the member's discharge or separation from active service:

30 (i) If the licensee has in the licensee's immediate possession,  
31 together with the licensee's driver's license, papers indicating the member's active  
32 service outside this State or the member's discharge or separation; and

33 (ii) If the license is not otherwise suspended, revoked, or canceled  
34 under this title during the 30-day period.

35 (e) If a licensee is absent from this State for cause, other than as provided in  
36 subsection (d) of this section, and is unable to renew his license in the manner

1 required by this section, the licensee may renew by mail to the Administration. The  
2 renewal application shall be accompanied by the prescribed fee and a statement  
3 giving the reason for and the expected length of the absence. On receipt of the  
4 application, the Administration may issue a regular license which bears a photo or a  
5 notation that it is valid without a photo until 15 days after the licensee first returns  
6 to this State.

7 (f) An individual may not drive a motor vehicle on any highway in this State  
8 if the license issued to him under this title has expired.

9 (g) An individual may not attempt to drive a motor vehicle on any highway in  
10 this State if the license issued to the individual under this title has expired.

11 (h) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of  
12 this subsection, the Administration shall require every individual applying for  
13 renewal of a driver's license to pass a vision test as prescribed by the Administration.

14 (2) (i) The Administration shall accept a certification of acceptable  
15 visual acuity from a licensed physician or optometrist instead of requiring the actual  
16 test provided for in this subsection.

17 (ii) The examination for which certification is made shall take place  
18 within 12 months of the date of application for renewal.

19 (3) ~~IF AN INDIVIDUAL AT LEAST 21 YEARS OF AGE BUT UNDER THE AGE~~  
20 ~~OF 40 YEARS APPLYING MAY APPLY FOR RENEWAL OF A DRIVER'S LICENSE HAS~~  
21 ~~PASSED ELECTRONICALLY OR BY MAIL OR OTHER MEANS AUTHORIZED BY THE~~  
22 ~~ADMINISTRATION WITHOUT TAKING A VISION TEST AS PRESCRIBED IF THE~~  
23 ~~APPLICANT HAS PASSED A VISION TEST AUTHORIZED BY THE ADMINISTRATION~~  
24 ~~WITHIN THE PREVIOUS 6 YEARS, THE VISION TEST IS NOT REQUIRED FOR THE~~  
25 ~~RENEWAL OF THE LICENSE.~~

26 [(3)] (4) (i) If the Administration has reason to believe that an  
27 individual is a safety hazard by reason of a vision deficiency, the Administration may  
28 require the vision test provided for in this subsection at a time other than renewal of  
29 a driver's license.

30 (ii) The Administration may adopt regulations to implement the  
31 provisions of this subsection.

32 (i) Before the expiration of a driver's license, if the Administration has reason  
33 to believe that an individual is not a safety hazard, but the individual is unable to  
34 pass a required knowledge test or vision test, the Administration may extend the  
35 individual's privilege to drive for a period not to exceed 90 days.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
37 effect ~~October~~ July 1, 2004.

